

UNITED STATES DISTRICT COURT

for

WESTERN DISTRICT OF TEXAS

FILED

2023 JUN 23 PM 3:19

CLERK OF DISTRICT COURT
WESTERN DISTRICT OF TEXAS

BY

Petition for Warrant or Summons for Offender Under Supervision

Name of Offender: Enrique Alfredo Tavares, aka: Mask

Case Number: EP-14-CR-1236KC(2)

Name of Sentencing Judicial Officer: Kathleen Cardone, U.S. District Judge

Date of Original Sentence: January 29, 2018

Original Offense: Conspiracy to Possess with Intent to Distribute a Quantity of Heroin, in violation of 21 U.S.C. §§ 846 and 841

Original Sentence: Fifty-five (55) months custody followed by three (3) years supervised release

Type of Supervision: Supervised Release

Date Supervision Commenced: November 4, 2022

Assistant U.S. Attorney: Stanley M. Serwatka

Defense Attorney: Brock M. Benjamin

PREVIOUS COURT ACTION

On April 5, 2023, the Court modified the term of supervision to include placing Tavares on Location Monitoring under Active Global Positioning Satellite for a period of six (6) months as a result of being arrested and charged for Harassment.

PETITIONING THE COURT

☒ To issue a warrant

☐ To issue a summons

The probation officer believes that the offender has violated the following conditions of supervision:

Violation Number 1: If you are arrested or questioned by a law enforcement officer, you must notify the probation officer within 72 hours.

Nature of Noncompliance: On April 19, 2023, Tavares was arrested by the El Paso Police Department for Assault Family Violence. Tavares failed to report his contact with law enforcement within 72 hours. It should be noted that the case was subsequently dismissed.

Violation Number 2: The defendant must participate in a substance abuse treatment program and follow the rules and regulations of that program. The program may include testing and examination during and after program completion to determine if the defendant has reverted to the use of drugs.

The probation officer shall supervise the participation in the program (provider, location, modality, duration, intensity, etc.). During treatment, the defendant must abstain from the use of alcohol and any and all intoxicants. The defendant must pay the costs of such treatment if financially able.

Nature of Noncompliance: Tavares has submitted the following positive drug tests: April 11, 2023; for amphetamine and cocaine; May 17, 2023, for amphetamine; May 31, 2023, for amphetamine; and June 7, 2023; for amphetamines.

Furthermore, on May 1, 24, and 25, 2023; June 9 and 16, 2023, Tavares failed to provide a random drug specimen.

Violation Number 3: The defendant shall participate in the Location Monitoring Program for a term not to exceed six months, which will include remote location monitoring using Active Global Positioning Satellite (GPS) tracking. The defendant shall abide by the rules and regulations of the Participant Agreement Form. During this time, the defendant shall remain at the place of residence except for employment and other activities approved in advance by your probation officer. At the instruction of the probation officer, the defendant shall wear a transmitter and be required to carry a tracking device. The defendant shall pay for the costs of the program if financially able.

Nature of Noncompliance: On May 1, 2023, Tavares was explained the Location Monitor Program (LMP) Participant Agreement listing the rules regulations of LMP. On same date, Tavares acknowledged and signed the Participant Agreement form.

On May 6, 2023, at 8:54 p.m. and on June 14, 2023, at 1:28 a.m. Tavares left his residence without permission. On both occasions, Tavares indicated he had gone to see his pregnant girlfriend who was feeling ill. Tavares did not have permission on both occasions to leave his residence and was advised he was in violation of LMP regulations.

U.S. Probation Officer Recommendation:

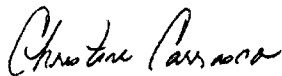
The term of supervision should be

☒ revoked.

☐ extended for _____ years, for a total term of _____ years.

☐ modified as follows:

Respectfully submitted,



Christine Carrasco
U.S. Probation Officer
Office (915) 585-6549
Cellular (915) 861-8247

Approved by,



Emilia Caro-Sanchez
Supervising U.S. Probation Officer
Office (915) 585-6582
Cellular (915) 861-8795

Date: June 20, 2023

THE COURT ORDERS:

- ☐ No action.
- ☒ The issuance of a warrant.
- ☐ The issuance of a summons.
- ☐ Other


Kathleen Cardone, U.S. District Judge

June 22, 2023

Date